

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Oct 31, 2002 17:19

PAPER NUMBER: LTR-02-0708

LOGGING DATE: 10/31/2002

ACTION OFFICE: EDO

To: Collins, NRR

AUTHOR: Robert Leyse

AFFILIATION: NY

ADDRESSEE: NEA CC: Chairman

cys: EDO
DEDMRS
DEDR
DEDM
AO
Adm

SUBJECT: Concerns Disclaimer of Warranties, etc.

ACTION: Appropriate

DISTRIBUTION:

LETTER DATE: 10/31/2002

ACKNOWLEDGED No

SPECIAL HANDLING:

NOTES:

FILE LOCATION: ADAMS

DATE DUE:

DATE SIGNED:

Template: SECY-017

ERIDS: SECY-01

From: <Bobleuse@aol.com>
To: <jcb@nei.org>
Date: Thu, Oct 31, 2002 12:22 AM
Subject: Disclaimer of Warranties, etc

John Butler:

I have purchased EPRI Report 1002865 including your cover letter to Wen of NRC dated June 12, 2002. And what do I find before I even consider sifting through all that? I find that nobody makes any warranty that the report has "... fitness for a particular purpose" and that nobody makes any warranty that the report "is suitable to any particular user's circumstance."

So, what is going on? Who decides that this stuff is worthy of review by anyone? At some stage is the NRC expected to anoint all of this stuff as applicable to the licensing of nuclear power reactors?

There is no way that I would purchase an automobile with that kind of disclaimer. Why then should I be content to live within the fallout zone of many nuclear power reactors?

On August 14, 2002, Skinner of the New York Attorney General's Environmental Protection Bureau told Hackett of NRC that " ... New York lies downwind of Ohio ... " Well, I'm telling you that Idaho lies downwind of Washington. And we all know that Manhattan is downriver from Indian Point. Thus it seems to me that all of these disclaimers ought to be of concern to somebody somewhere. It baffles me that NRC and ACRS spend time on this stuff. If I were the chairman of something I'd throw the junk out of my jurisdiction until somebody presented me with warranted data.

Robert H. Leyse bobleuse@aol.com

CC: <chairman@nrc.gov>, <Peter.skinner@oag.state.ny.us>